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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ANTHONY S. NIKBAKHSHTALI,

Plaintiff,

v.

MICHAEL J. ASTRUE,
 Commissioner of
 Social Security,

Defendant.

CIVIL NO. C 05-04637 JF

STIPULATION AND ~~PROPOSED~~ ORDER
 SETTLING ATTORNEY'S FEES
 PURSUANT TO THE EQUAL ACCESS TO
 JUSTICE ACT (EAJA)

TO THE HONORABLE JEREMY FOGEL, MAGISTRATE JUDGE OF THE DISTRICT
 COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
 subject to the approval of the Court, that Plaintiff be awarded attorney fees under the Equal Access to
 Justice Act (EAJA) in the amount of Four Thousand Four Hundred dollars and no cents (\$ 4,400.00)
 and Two Hundred Seventy-two dollars and four cents (\$ 272.04) in costs. This amount represents
 compensation for all legal services rendered on behalf of Plaintiff by his attorney in connection with this
 civil action for services performed before the district court through remand, in accordance with 28
 U.S.C. §§ 1920 and 2412 (d).

EAJA Stip
 05-04637 JF

1 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney
 2 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA.
 3 Payment of Four Thousand Four Hundred dollars and no cents (\$ 4,400.00) and Two Hundred Seventy-
 4 two dollars and four cents (\$ 272.04) in costs shall constitute a complete release from and bar to any and
 5 all claims Plaintiff may have relating to EAJA fees and costs in connection with this action. This award
 6 is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42
 7 U.S.C. § 406, subject to the provisions of the EAJA.

8
 9 Respectfully submitted,

10 Dated: May 11, 2007

11 /s/ Harvey p. Sackett
 12 (As authorized via facsimile on May 11, 2007)
 13 Harvey P. Sackett
 14 Attorney for Plaintiff

15 Dated: May 8, 2007

16 SCOTT N. SCHOOLS
 17 United States Attorney
 18 LUCILLE GONZALES MEIS
 19 Regional Chief Counsel, Region IX
 20 Social Security Administration

21 /s/ Jean M. Turk
 22 JEAN M. TURK
 23 Special Assistant U.S. Attorney
 24 Attorneys for Defendant

25 ORDER

26 APPROVED AND SO ORDERED.

27 DATED: 5/18/07

28 
 JEREMY FOGEL
 UNITED STATES DISTRICT JUDGE